

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed August 23, 2005. Claims 1-39 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-39. The present Response amends claims 1, 35, and 37, adds new claim 40, leaving for the Examiner's present consideration claims 1-39. Reconsideration of the rejections is respectfully requested.

I. Summary of Interview with the Examiner

During the interview with the Examiner on Nov. 9, 2005, Applicant and the Examiner discussed the Examiner's response to Applicant's previous arguments over prior arts, especially the language used in claim 1. The Examiner indicated that the claims would be allowable over the prior arts if amended to specifically recite shaping or cleaning in the element of the claims.

II. Claim Rejections – 35 USC § 102

Claims 1-12, 16-20, 35, 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Fleming et al (US 5,000,771).

Claims 1, 19, 36, 38-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Seo et al (US 6,534,921).

Please refer to Applicant's Reply filed July 28, 2005 to Office Action dated February 1, 2005 for arguments against these rejections.

III. Claim Rejections – 35 USC § 103

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatenable over Fleming et al (US 5,000,771) in view of Seo et al (US 6,534,921).

Please refer to Applicant's Reply filed July 28, 2005 to Office Action dated February 1, 2005 for arguments against the rejection.

IV. Response to Arguments

Applicant's arguments filed 7/28/05 with respect to the rejection(s) of claims 1-39 under 35 U.S.C. 102 and 103 have been fully considered but they are not persuasive. Applicants argue that independent claims 1, 35, 37 shapes or cleans a surface of a workpiece by adding or depositing material instead of vaporizing to the surface as in Fleming. This argument is unpersuasive because it does not commensurate with the scopes of claims 1, 35, 37 since claims 1, 35, 37 do not specifically recite/require shaping or cleaning a surface or a workpiece by adding or depositing material to the surface of the workpiece.

Claims 1, 35 and 37 have been amended to specifically recite shaping or cleaning of the surface of the workpiece in the element as the Examiner suggested during the interview, and Applicant respectfully requests that the rejections be withdrawn.


V. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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